

## **MINUTES**

### **City of Franklin, Indiana BOARD OF ZONING APPEALS**

**May 6, 2015**

#### **Members Present:**

Tim Holmes	President
Phil Barrow	Vice-President
Jim Martin	Secretary
Brian Alsip	Member
Rev. Richard Martin	Member

#### **Members Absent:**

#### **Others Present:**

Alex Getchell	Associate Planner
Lynn Gray	Legal Counsel

#### **Call to Order:**

Tim Holmes called the meeting to order at 7:00 p.m.

#### **Approval of Minutes:**

Phil Barrow made a motion to approve the March 4, 2015 minutes as submitted. Jim Martin seconded the motion. The members voted to approve the minutes.

#### **Swearing In:**

Lynn Gray swore in the audience en masse.

#### **Old Business:**

None.

#### **New Business:**

##### **ZB 2015-08 (V) – Fred and Jacqueline Bruner:**

The petition is for a developmental standards variance to allow an accessory structure (detached garage) to be located in a front yard, in a RSN zoning district. A variance is needed as Article 7, Chapter 3 of the Zoning Ordinance does not allow accessory structures to be located in front yards in any residential zoning district. The application is complete and the public notification requirements have been met.

Fred Bruner stated they are proposing the detached garage in the front yard, due to there being no room in the side yard because of the septic system. Mr. Bruner stated the garage will match the architectural style of the house. Mr. Bruner stated the garage would be use for additional vehicle storage. Mr. Bruner stated they have no intention of running a business, just additional storage.

Jacqueline Bruner stated the approval of the variance will not be injurious to the public health, safety, morals or general welfare of the community, as the proposed structure will be setback approximately 85 feet from the road and will not crowd any other structure or property. She also stated the proposed garage will be setback a similar distance as other homes on the same street.

Mrs. Bruner stated the use and value of the adjacent properties will not be affected in a substantially adverse manner, as approval of the proposed garage would not change the large-lot single-family residential character of the neighborhood. She stated the proposed garage will not crowd any other structure or property.

Mrs. Bruner stated the strict application of the terms of the ordinance will result in a practical difficulty, as the orientation of the existing residence, at the back of the property, with the large pond to the west, and the septic field to the north/northeast, prevents them from complying with the terms of the ordinance that prohibit accessory structures in front yards.

Ms. Gray questioned the petitioners if they were willing to make a commitment that the building design and materials will be similar to those of the home. Mrs. Bruner stated they would.

Mr. Holmes questioned the petitioners if there was anywhere else on the property where they could put the garage and not be in the front yard. Mrs. Bruner stated they could not, unless it was precariously close to the pond. Mr. Bruner stated with the way the grades are on the west side of the house, near the pond, they wouldn't have access to the garage. Mr. Bruner also stated they would have to relocate the septic field, if they were to place the garage on the east side of the home.

Mr. Barrow questioned the petitioners if they will continue to use the existing attached garage as a garage. Mr. Bruner stated they will use it as a garage.

Staff recommends approval with the following conditions:

1. All applicable Federal, State, and Local permits and approvals are required, including local building permit(s) from Johnson County Department of Planning and Zoning.
2. Architectural design and materials will be similar to the existing residence.

**Action taken on ZB 2015-08 (V) – Fred and Jacqueline Bruner:**

Phil Barrow made a motion to approve the petition with the recommendations by staff:

1. All applicable Federal, State, and Local permits and approvals are required, including local building permit(s) from Johnson County Department of Planning and Zoning.
2. Architectural design and materials will be similar to the existing residence.

Jim Martin seconded the motion. The motion carried. The variance passed.

**Other:**

None

**Adjournment:**

There being no further business, the meeting was adjourned.

Respectfully submitted this 3rd day of June, 2015.

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Tim Holmes, Chairman

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Jim Martin, Secretary